

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

OLIVER MATIEL	:	
HENRIQUEZ-REYES,	:	CIVIL ACTION NO. 3:17-CV-0044
Petitioner	:	(Judge Nealon)
	:	(Magistrate Judge Schwab)
v.	:	
	:	
MARY SABOL,	:	
Respondent	:	

ORDER

AND NOW, THIS 10TH DAY OF FEBRUARY, 2017, in accordance with the Memorandum issued on this date, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation, (Doc. 8), is **ADOPTED**.
2. Petitioner's petition for a writ of habeas corpus, (Doc. 1), is **GRANTED** to the extent that Petitioner seeks an individualized bond hearing.
3. Petitioner, Oliver Matiel Henriquez-Reyes, shall be provided an individualized bond hearing in front of an Immigration Judge within **fourteen (14) days** from the date of this Order.
4. At the abovementioned bond hearing, the Immigration Judge shall make an individualized inquiry as to whether Petitioner's detention is still permissible under Chavez-Alvarez v. Warden York County Prison, 783 F.3d 469 (3d Cir. 2015) and any other applicable law. Further, at this hearing the Government bears the burden of presenting evidence and proving that continued detention is necessary to fulfill the purposes of the detention statute. Diop v. ICE/Homeland Sec., 656 F.3d 221, 231, 233 (3d Cir. 2011).
5. Respondent shall file a notification with the Court that Petitioner has received an appropriate individualized bond hearing on, or before,

March 3, 2017.

6. The Clerk of Court is directed to **CLOSE** this case.

/s/ William J. Nealon
United States District Judge